

modification of any activity if it is determined that such measures are required to conserve wildlife, fish, or their habitat within the areas of the Chugach National Forest subject to this subpart. Prior to taking action to terminate, suspend, restrict, or require modification of an activity under this section, the responsible Forest Officer shall give affected parties reasonable prior notice and an opportunity to comment, unless it is determined that doing so would likely result in irreparable harm to conservation of fish, wildlife, and their habitat.

(f) Decisions made pursuant to this section are subject to appeal only as provided in 36 CFR parts 217 and 251, subpart C.

(g) Nothing in this section affects subsistence activities carried out in accordance with §241.23 of this subpart or other applicable law.

#### **§241.23 Taking of fish and wildlife.**

(a) The taking of fish and wildlife by hunting, trapping, or fishing from lands subject to the rules of this subpart is authorized in accordance with applicable State and Federal law.

(b) To the extent consistent with the conservation of fish and wildlife and their habitat in accordance with recognized scientific management principles, local rural residents who depend upon the Chugach National Forest for subsistence needs shall continue to have the opportunity to engage in a subsistence way of life on the lands to which this subpart applies pursuant to applicable State and Federal law.

(c) To the extent consistent with the conservation of fish and wildlife and their habitat, the continuation of existing uses and the future establishment and use of temporary campsites, tent, platforms, shelters, and other temporary facilities and equipment directly and necessarily related to the taking of fish and wildlife may be authorized in accordance with applicable law and regulations. However, the Forest Supervisor may restrict or prohibit facilities or uses in the Copper River-Rude River addition or Copper River-Bering River area if it is determined, after adequate notice to the affected parties, that the continuation of such facilities or uses would materially

interfere with or adversely affect the conservation of fish and wildlife and their habitat.

## **PART 242—SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA**

### **Subpart A—General Provisions**

Sec.

- 242.1 Purpose.
- 242.2 Authority.
- 242.3 Applicability and scope.
- 242.4 Definitions.
- 242.5 Eligibility for subsistence use.
- 242.6 Licenses, permits, harvest tickets, tags, and reports.
- 242.7 Restriction on use.
- 242.8 Penalties.
- 242.9 Information collection requirements.

### **Subpart B—Program Structure**

- 242.10 Federal Subsistence Board.
- 242.11 Regional advisory councils.
- 242.12 Local advisory committees.
- 242.13 Board/agency relationships.
- 242.14 Relationship to State procedures and regulations.
- 242.15 Rural determination process.
- 242.16 Customary and traditional use determination process.
- 242.17 Determining priorities for subsistence uses among rural Alaska residents.
- 242.18 Regulation adoption process.
- 242.19 Special actions.
- 242.20 Request for reconsideration.
- 242.21 [Reserved]

### **Subpart C—Board Determinations**

- 242.22 Subsistence resource regions.
- 242.23 Rural determinations.
- 242.24 Customary and traditional use determinations.

### **Subpart D—Subsistence Taking of Fish and Wildlife**

- 242.25 Subsistence taking of fish, wildlife, and shellfish: general regulations.
- 242.27 Subsistence taking of fish.
- 242.28 Subsistence taking of shellfish.

AUTHORITY: 16 U.S.C. 3, 472, 551, 668dd, 3101–3126; 18 U.S.C. 3551–3586; 43 U.S.C. 1733.

### **Subpart A—General Provisions**

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